



3623
#

Application No. 09/672,483
Amendment to Correct Inventorship.

UNITED STATES PATENT AND TRADEMARK OFFICE
Attorney Docket No. 12714US01

In the Application of:

McElroy et al.

Serial No. **09/672,483**

Filed: **September 28, 2000**

For: **Organizational Innovation
Enhancement Technique**

Examiner: **Shaffer, Eric T.**

Group Art Unit: **3623**

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on April 2, 2004.

By: 

David R. Beto
Reg. No. 51,467

AMENDMENT TO CORRECT INVENTORSHIP

Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

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APR 12 2004

GROUP 3600

Dear Examiner Shaffer:

Pursuant to 37 C.F.R. § 1.48(a), applicants submit this Amendment and Petition to correct the original naming of inventors in the declaration submitted in connection with the above-identified application.

Please add the following previously unnamed person as a named inventor for the present application:

04/06/2004 MBERHE 00000072 09672483

01 FC:1460

130.00 OP

Name and address of inventor

Joseph M. Firestone

309 Yoakum Parkway, #1103

Alexandria, VA 22304

Attachments

Attached hereto are:

- (a) Statements from each of the persons being added as inventors that the error in inventorship occurred without deceptive intention on his or her part;
- (b) A declaration by each of the actual inventors;
- (c) A statement under 37 C.F.R. § 3.73(b) establishing ownership of the application and authorizing Mark W. McElroy to act on behalf of the assignee; and
- (d) Written consent of Mark W. McElroy to the change of ownership in the present application; and
- (e) Fee according to 37 CFR § 1.17(i).

Conclusion

In view of the foregoing and the attachments hereto, applicants request correction of the original naming of inventors in accordance with the attached declaration. The Examiner is invited to telephone the applicants' undersigned attorney at (312) 775-8000 if any unresolved matters remain.

The Commissioner is also authorized to charge any additional fees or credit any overpayment to the deposit account of McAndrews, Held and Malloy, Ltd., account number 13-0017.

Respectfully submitted,

Dated: April 2, 2004



David R. Beto
Registration No. 51,467
Attorney for Applicant

MCANDREWS, HELD & MALLOY, LTD.
500 West Madison Street, 34th Floor
Chicago, Illinois 60661

Telephone: (312) 775-8000
Facsimile: (312) 775-8100



Application No. 09/672,483
Statement of Non-Deceptive Intent

UNITED STATES PATENT AND TRADEMARK OFFICE
Attorney Docket No. 12714US01

In the Application of:

McElroy et al.

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Examiner: **Shaffer, Eric T.**

Group Art Unit: **3623**

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**STATEMENT OF NON-DECEPTIVE INTENT FOR CORRECTION OF
INVENTORSHIP**

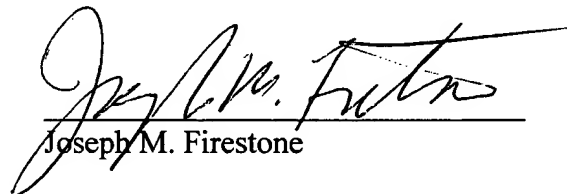
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

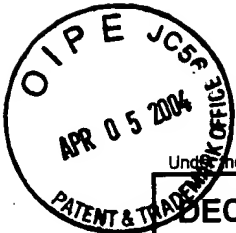
Dear Examiner Shaffer:

The inventorship error of failing to include Joseph M. Firestone as an inventor of the patent occurred without any deceptive intention on the part of Joseph M. Firestone.

Respectfully submitted,

Dated: March 11, 2004


Joseph M. Firestone



Under the Paperwork Reduction act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention Organizational Innovation Enhancement Technique

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. 09/672,483, filed on September 28, 2000,
- ☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C 1001, and may jeopardize the validity of the application or any patent issuing thereon.

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GROUP 3600

FULL NAME OF INVENTOR(S)

Inventor one: Mark W. McElroy

Signature: 

Citizen of: USA

Inventor two: Steven A. Cavaleri

Signature: 

Citizen of: USA

Inventor three: Joseph M. Firestone

Signature: 

Citizen of: USA

Inventor four:

Signature:

Citizen of:

☐ Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.



5

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: McElroy et al.

Application No./Patent No.: 09/672,483 Filed/Issue Date: September 28, 2000

Entitled: Organizational Innovation Enhancement Technique

Macroinnovation Associates, LLC
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that is:

- 1. ☒ the assignee of the entire right, title, and interest; or
- 2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B: ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

- 1. From _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
- 2. From _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
- 3. From _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

3/19/04
Date
(802) 436-2250
Telephone Number

Mark W. McElroy
Typed or printed name
[Signature]
Signature
Principal / Member
Title

(2)

ASSIGNMENT

12714
Case No.: 1658/127114US01

Application Serial No.: 09/672,483

Co-inventor: Mark W. McElroy

Filing Date: September 28, 2000

In consideration of One Dollar (\$1.00) and other good and valuable considerations specified in the related ORGANIZATIONAL INNOVATION TECHNOLOGY AGREEMENT executed between the Co-inventor and **Macroinnovation Associates, LLC** ("Licensor"), a limited liability company duly organized and existing under the laws of Vermont, the receipt and sufficiency whereof are hereby acknowledged, the undersigned hereby assigns to, Licensor, its successors and assigns, the entire right, title and interest in the invention or improvements of the undersigned disclosed in an application for Letters Patent of the United States, entitled:

ORGANIZATIONAL INNOVATION ENHANCEMENT TECHNIQUE

and identified as Case No. 1658/127114US01 in the offices of McAndrews, Held & Malloy, Ltd., and in said application and any and all other applications, both United States and foreign, which the undersigned may file, either solely or jointly with others, on said invention or improvements, and in any and all Letters Patent of the United States and foreign countries, which may be obtained on any of said applications, and in any reissue, continuation, divisional or extension of such patents, and further assigns to said assignee the priority right provided by the International Convention.

The undersigned hereby authorizes and requests the Commissioner of Patents and Trademarks to issue said Letters Patent to said assignee.

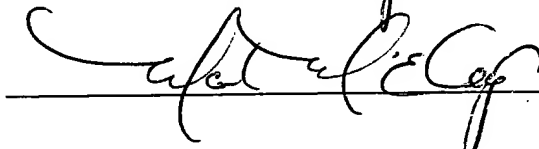
The undersigned hereby authorizes and requests the attorneys of record in said application to insert in this assignment the title of the invention, filing date and serial number of said application when officially known.

The undersigned warrants himself and his co-inventors to be the owners of the entire right, title and interest in said invention or improvements and to have the right to make this assignment, and further warrants that there are no outstanding prior assignments, licenses or other encumbrances on the interest herein assigned.

For said considerations the undersigned hereby agrees, upon the request and at the expense of said assignee, its successors and assigns, to execute any and all divisional, continuation and substitute applications for said invention or improvements, and any necessary oath, affidavit or declaration relating thereto, and any application for the reissue or extension of any Letters Patent that may be granted upon said application, and any and all applications and other document for Letters Patent in foreign countries on said invention or improvements, that said assignee, its successors or assigns may deem

necessary or expedient, and for the said consideration the undersigned authorizes said assignee to apply for patents for said invention or improvements in its own name in such countries where such procedure is proper and further agrees, upon the request of said assignee, its successors and assigns, to cooperate to the best of the ability of the undersigned with said assignee, its successors and assigns, in any proceedings or transactions involving such applications or patents, including the preparation and execution of preliminary statements, giving and producing evidence, and performing any and all other acts necessary to obtain said Letters Patent, both United States and foreign, and vest all rights therein hereby conveyed in the assignee, its successors and assigns, whereby said Letters Patent will be held and enjoyed by the said assignee, its successors and assigns, to the full end of the term for which said Letters Patent will be granted, as fully and entirely as the same would have been held and enjoyed by the undersigned if this assignment has not been made, provided only that the conditions and obligations specified for the Assignee in the aforementioned ORGANIZATIONAL INNOVATION TECHNOLOGY AGREEMENT continue to be met and the revocation of this assignment according to the terms of said agreement does not occur.

WITNESS my hand and seal this 26th day of February, 2004.

 (SEAL)

STATE OF Vermont
COUNTY OF Windsor, SS.

The foregoing instrument was acknowledged before me this 26th day of Feb, 2004, by Nida S. Tansey

NIDA S. TANSEY, Notary Public
My Commission Expires February 10, 2007

Notary Public
My commission expires _____

ASSIGNMENT

Case No.: 1658/127114US01

Application Serial No.: 09/672,483

Co-inventor: Steven A. Cavaleri

Filing Date: September 28, 2000

In consideration of One Dollar (\$1.00) and other good and valuable considerations specified in the related ORGANIZATIONAL INNOVATION TECHNOLOGY AGREEMENT executed between the Co-inventor and **Macroinnovation Associates, LLC** ("Licensor"), a limited liability company duly organized and existing under the laws of Vermont, the receipt and sufficiency whereof are hereby acknowledged, the undersigned hereby assigns to, Licensor, its successors and assigns, the entire right, title and interest in the invention or improvements of the undersigned disclosed in an application for Letters Patent of the United States, entitled:

ORGANIZATIONAL INNOVATION ENHANCEMENT TECHNIQUE

and identified as Case No. 1658/127114US01 in the offices of McAndrews, Held & Malloy, Ltd., and in said application and any and all other applications, both United States and foreign, which the undersigned may file, either solely or jointly with others, on said invention or improvements, and in any and all Letters Patent of the United States and foreign countries, which may be obtained on any of said applications, and in any reissue, continuation, divisional or extension of such patents, and further assigns to said assignee the priority right provided by the International Convention.

The undersigned hereby authorizes and requests the Commissioner of Patents and Trademarks to issue said Letters Patent to said assignee.

The undersigned hereby authorizes and requests the attorneys of record in said application to insert in this assignment the title of the invention, filing date and serial number of said application when officially known.

The undersigned warrants himself and his co-inventors to be the owners of the entire right, title and interest in said invention or improvements and to have the right to make this assignment, and further warrants that there are no outstanding prior assignments, licenses or other encumbrances on the interest herein assigned.

For said considerations the undersigned hereby agrees, upon the request and at the expense of said assignee, its successors and assigns, to execute any and all divisional, continuation and substitute applications for said invention or improvements, and any necessary oath, affidavit or declaration relating thereto, and any application for the reissue or extension of any Letters Patent that may be granted upon said application, and any and all applications and other document for Letters Patent in foreign countries on said invention or improvements, that said assignee, its successors or assigns may deem

necessary or expedient, and for the said consideration the undersigned authorizes said assignee to apply for patents for said invention or improvements in its own name in such countries where such procedure is proper and further agrees, upon the request of said assignee, its successors and assigns, to cooperate to the best of the ability of the undersigned with said assignee, its successors and assigns, in any proceedings or transactions involving such applications or patents, including the preparation and execution of preliminary statements, giving and producing evidence, and performing any and all other acts necessary to obtain said Letters Patent, both United States and foreign, and vest all rights therein hereby conveyed in the assignee, its successors and assigns, whereby said Letters Patent will be held and enjoyed by the said assignee, its successors and assigns, to the full end of the term for which said Letters Patent will be granted, as fully and entirely as the same would have been held and enjoyed by the undersigned if this assignment has not been made, provided only that the conditions and obligations specified for the Assignee in the aforementioned ORGANIZATIONAL INNOVATION TECHNOLOGY AGREEMENT continue to be met and the revocation of this assignment according to the terms of said agreement does not occur.

WITNESS my hand and seal this 17 day of MARCH, 2004.

Steven A. Cavaleri (SEAL)

STATE OF CT
COUNTY OF Middlesex, SS.

March The foregoing instrument was acknowledged before me this 17 day of March, 2004, by Kenneth Teruzzi.

[Signature]
Notary Public
My commission expires 12-31-07

ASSIGNMENT

Case No.: 1658/127114US01

Application Serial No.: 09/672,483

Co-inventor: Joseph M. Firestone

Filing Date: September 28, 2000

In consideration of One Dollar (\$1.00) and other good and valuable considerations specified in the related ORGANIZATIONAL INNOVATION TECHNOLOGY AGREEMENT executed between the Co-inventor and **Macroinnovation Associates, LLC** ("Licensor"), a limited liability company duly organized and existing under the laws of Vermont, the receipt and sufficiency whereof are hereby acknowledged, the undersigned hereby assigns to, Licensor, its successors and assigns, the entire right, title and interest in the invention or improvements of the undersigned disclosed in an application for Letters Patent of the United States, entitled:

ORGANIZATIONAL INNOVATION ENHANCEMENT TECHNIQUE

and identified as Case No. 1658/127114US01 in the offices of McAndrews, Held & Malloy, Ltd., and in said application and any and all other applications, both United States and foreign, which the undersigned may file, either solely or jointly with others, on said invention or improvements, and in any and all Letters Patent of the United States and foreign countries, which may be obtained on any of said applications, and in any reissue, continuation, divisional or extension of such patents, and further assigns to said assignee the priority right provided by the International Convention.

The undersigned hereby authorizes and requests the Commissioner of Patents and Trademarks to issue said Letters Patent to said assignee.

The undersigned hereby authorizes and requests the attorneys of record in said application to insert in this assignment the title of the invention, filing date and serial number of said application when officially known.

The undersigned warrants himself and his co-inventors to be the owners of the entire right, title and interest in said invention or improvements and to have the right to make this assignment, and further warrants that there are no outstanding prior assignments, licenses or other encumbrances on the interest herein assigned.

For said considerations the undersigned hereby agrees, upon the request and at the expense of said assignee, its successors and assigns, to execute any and all divisional, continuation and substitute applications for said invention or improvements, and any necessary oath, affidavit or declaration relating thereto, and any application for the reissue or extension of any Letters Patent that may be granted upon said application, and any and all applications and other document for Letters Patent in foreign countries on said invention or improvements, that said assignee, its successors or assigns may deem

necessary or expedient, and for the said consideration the undersigned authorizes said assignee to apply for patents for said invention or improvements in its own name in such countries where such procedure is proper and further agrees, upon the request of said assignee, its successors and assigns, to cooperate to the best of the ability of the undersigned with said assignee, its successors and assigns, in any proceedings or transactions involving such applications or patents, including the preparation and execution of preliminary statements, giving and producing evidence, and performing any and all other acts necessary to obtain said Letters Patent, both United States and foreign, and vest all rights therein hereby conveyed in the assignee, its successors and assigns, whereby said Letters Patent will be held and enjoyed by the said assignee, its successors and assigns, to the full end of the term for which said Letters Patent will be granted, as fully and entirely as the same would have been held and enjoyed by the undersigned if this assignment has not been made, provided only that the conditions and obligations specified for the Assignee in the aforementioned ORGANIZATIONAL INNOVATION TECHNOLOGY AGREEMENT continue to be met and the revocation of this assignment according to the terms of said agreement does not occur.

WITNESS my hand and seal this 5th day of March, 2004.

Joseph M. Fustine (SEAL)

STATE OF VA
COUNTY OF ALEXANDRIA, SS.
CITY

The foregoing instrument was acknowledged before me this 5th day of MARCH, 2004, by Rick Golese.

Handwritten Signature
Notary Public
My commission expires 5-24-04



Application No. 09/672,483
Consent of Assignee to Correction of Inventorship

UNITED STATES PATENT AND TRADEMARK OFFICE
Attorney Docket No. 12714US01

In the Application of:

McElroy et al.

Serial No. **09/672,483**

Filed: **September 28, 2000**

For: **Organizational Innovation
Enhancement Technique**

Examiner: **Shaffer, Eric T.**

Group Art Unit: **3623**

CONSENT OF ASSIGNEE TO CORRECTION OF INVENTORSHIP

Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Examiner Shaffer:

As a person authorized to act for the assignee in the above identified application as evidenced by the enclosed statement under 37 C.F.R. § 3.73(b), I hereby consent to the addition of Joseph M. Firestone as inventor in the above identified application.

Dated: _____

3/19/04

Respectfully submitted,

Mark W. McElroy